

229 U. S. Cases Disposed of Without Consideration by the Court.

CASES DISPOSED OF WITHOUT CONSIDERATION  
BY THE COURT FROM MARCH 11, 1913, TO  
JUNE 16, 1913.

No. 186. THOMAS A. FIELDS, APPELLANT, *v.* GEORGE F. WHITE, UNITED STATES MARSHAL, ETC. Appeal from the Circuit Court of the United States for the Southern District of Georgia. March 11, 1913. Dismissed with costs, on motion of *Mr. Frederick T. Saussy* for the appellant, and cause remanded to the District Court of the United States for the Southern District of Georgia. *Mr. J. R. Saussy*, *Mr. Frederick Tupper Saussy* and *Mr. A. S. Bradley* for the appellant. *The Attorney General* for the appellee.

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No. 185. JUAN Z. RODRIGUEZ, APPELLANT, *v.* THE PEOPLE OF PORTO RICO. Appeal from the Supreme Court of Porto Rico. March 12, 1913. Dismissed with costs, on motion of counsel for the appellant. *Mr. Leonard J. Mather* for the appellant. *Mr. Felix Frankfurter* for the appellee.

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No. 196. CHARLES F. NEWCOMB, PLAINTIFF IN ERROR, *v.* THE STATE OF WASHINGTON. In error to the Supreme Court of the State of Washington. March 14, 1913. Dismissed with costs, pursuant to the tenth rule. *Mr. Conrad H. Syme* for the plaintiff in error. *Mr. W. V. Tanner* for the defendant in error.

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No. 214. THE DAKOTA CATTLE COMPANY, APPELLANT,  
*v.* THE UNITED STATES AND THE SIOUX INDIANS;

Cases Disposed of Without Consideration by the Court. 229 U. S.

NO. 215. CATHERINE HOWARD, APPELLANT, *v.* THE UNITED STATES AND THE SIOUX INDIANS; and

NO. 216. THE KEYSTONE LAND & CATTLE COMPANY, APPELLANT, *v.* THE UNITED STATES AND THE SIOUX INDIANS. Appeals from the Court of Claims. March 20, 1913. Dismissed, on motion of *Mr. Archibald King*, in behalf of counsel for the appellants. *Mr. William B. King* and *Mr. William E. Harvey* for the appellants. *The Attorney General* and *The Solicitor General* for the appellees.

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NO. ——. Original. OSCAR W. WHITE, PLAINTIFF, *v.* DON ENRIQUE BORJA. Motion for leave to file declaration submitted March 3, 1913. March 7, 1913. Motion for leave to withdraw motion for leave to file declaration granted, on motion of *Mr. John Ridout* for the plaintiff. *Mr. John Ridout* for the plaintiff.

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NO. 280. THE GUARDIAN ASSURANCE COMPANY OF LONDON, LIMITED, PLAINTIFF IN ERROR, *v.* DOMINGO QUINTANA. In error to the District Court of the United States for Porto Rico. April 7, 1913. Dismissed with costs, per stipulation. *Mr. Frederic D. McKenney*, *Mr. F. H. Dexter*, *Mr. John Spalding Flannery* and *Mr. William Hitz* for the plaintiff in error. *Mr. Clement L. Bouwé* and *Mr. H. H. Scoville* for the defendant in error.

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NO. 1007. BUNYAN LUCAS, APPELLANT, *v.* ROBERT LEE LUCAS ET AL., EXECUTORS, ETC., ET AL. Appeal from the District Court of the United States for the Southern District of California. April 7, 1913. Dismissed with

229 U. S. Cases Disposed of Without Consideration by the Court.

costs on motion of counsel for appellant. *Mr. F. M. Etheridge* and *Mr. J. M. McCormick* for the appellant. No appearance for the appellee.

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No. 655. CHICAGO & NORTHWESTERN RAILWAY COMPANY, PLAINTIFF IN ERROR, *v.* HUGH ROWLANDS. In error to the Supreme Court of the State of Wisconsin. April 7, 1913. Dismissed without costs to either party, per stipulation. *Mr. Edward M. Smart* for the plaintiff in error. *Mr. John J. Cook* for the defendant in error.

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No. 597. JOHN FLETCHER, APPELLANT, *v.* C. T. ELLIOTT, AS UNITED STATES MARSHAL, ETC. Appeal from the Circuit Court of the United States for the Northern District of California. April 14, 1913. Dismissed with costs, on motion of *Mr. Henry F. Woodard* for the appellant, and cause remanded to the District Court of the United States for the Northern District of California. *Mr. Arthur A. Birney* and *Mr. Henry F. Woodard* for the appellant. *The Attorney General* for the appellee.

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No. 298. AUSTRO-AMERICAN STEAMSHIP COMPANY, LIMITED, PETITIONER, *v.* PETER RAMJAK. April 14, 1913. Petition for a writ of certiorari to the United States Circuit Court of Appeals for the Fifth Circuit dismissed, on motion of *Mr. Edgar H. Farrar* for the petitioner. *Mr. Edgar H. Farrar* for the petitioner. *Mr. John D. Grace* for the respondent.

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No. 308. ADAMS EXPRESS COMPANY, PLAINTIFF IN ERROR, *v.* HECTOR VERVAEKE. In error to the Supreme

Cases Disposed of Without Consideration by the Court. 229 U. S.

Court of the State of Pennsylvania. April 21, 1913. Judgment reversed with costs, per stipulation of counsel, and cause remanded for further proceedings. *Mr. Chas. F. Patterson, Mr. John Lewis Evans, and Mr. Thos. DeWitt Cuyler* for the plaintiff in error. *Mr. George Clinton* for the defendant in error.

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No. 258. JOHN MEEKER ET AL., PLAINTIFFS IN ERROR, *v. MARTIN KAELEN, MARY KAELEN, HIS WIFE, ET AL.* In error to the Circuit Court of the United States for the Western District of Washington. April 22, 1913. Dismissed with costs, pursuant to the tenth rule, and cause remanded to the District Court of the United States for the Western District of Washington. *Mr. Benjamin S. Grosscup* for the plaintiffs in error. *Mr. S. Warburton* for the defendants in error.

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No. 262. JOSE AVALO SANCHEZ, APPELLANT, *v. CONCEPCION VEVE Y DIAZ AND HER HUSBAND, JOSE SASTRANO.* Appeal from the District Court of the United States for Porto Rico. April 23, 1913. Dismissed with costs, pursuant to the tenth rule. *Mr. Hector H. Scoville* for the appellant. *Mr. N. B. K. Pettingill* for the appellees.

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No. 260. THE TEXAS & PACIFIC RAILWAY COMPANY, PLAINTIFF IN ERROR, *v. JOHN LACEY.* In error to the United States Circuit Court of Appeals for the Fifth Circuit. April 25, 1913. Dismissed with costs, on authority of counsel for the plaintiff in error. *Mr. Chas. Payne Fenner* for the plaintiff in error. No appearance for the defendant in error.

229 U. S. Cases Disposed of Without Consideration by the Court.

NO. 288. SAMUEL O'BRIEN, PLAINTIFF IN ERROR, *v.* RUDOLPH B. SCHNEIDER ET AL. In error to the Supreme Court of the State of Nebraska. May 2, 1913. Dismissed with costs, pursuant to the tenth rule. *Mr. I. L. Albert* for the plaintiff in error. *Mr. Wm. J. Courtright* for the defendants in error.

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NO. 294. ERNEST M. COLLINS, PLAINTIFF IN ERROR, *v.* JOHN W. DANFORTH COMPANY OF BUFFALO, NEW YORK. In error to the Court of Appeals of the District of Columbia. May 5, 1913. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. Wilton J. Lambert* for the plaintiff in error. No appearance for the defendant in error.

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NO. 306. ADAMS EXPRESS COMPANY, PLAINTIFF IN ERROR, *v.* ABE DAVIDSON, TRADING AS DAVIDSON & SON. In error to the Supreme Court of the State of Pennsylvania. May 6, 1913. Judgment reversed with costs, per stipulation of counsel, and cause remanded for further proceedings. *Mr. John Lewis Evans* and *Mr. Thos. DeWitt Cuyler* for the plaintiff in error. *Mr. J. Percy Keating* for the defendant in error.

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NO. 307. ADAMS EXPRESS COMPANY, PLAINTIFF IN ERROR, *v.* DAISY WRIGHT. In error to the Supreme Court of the State of Pennsylvania. May 6, 1913. Judgment reversed with costs, per stipulation of counsel, and cause remanded for further proceedings. *Mr. Jno. Lewis Evans* and *Mr. Thos. DeWitt Cuyler* for the plaintiff in error. *Mr. G. W. Pepper* for the defendant in error.

Cases Disposed of Without Consideration by the Court. 229 U. S.

No. 318. HENRY D. PHILLIPS, APPELLANT, *v.* WALTER L. FISHER, SECRETARY OF THE INTERIOR. Appeal from the Court of Appeals of the District of Columbia. May 7, 1912. Dismissed with costs, pursuant to the tenth rule. *Mr. Chas. Cowles Tucker* and *Mr. J. Miller Kenyon* for the appellant. *The Attorney General* for the appellee.

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No. 869. LOUISE SAVART, APPELLANT, *v.* SAMUEL BACKUS, COMMISSIONER OF IMMIGRATION, ETC. Appeal from the District Court of the United States for the Northern District of California. May 12, 1913. Dismissed with costs, on motion of *Mr. Corry M. Stadden* for the appellant. *Mr. Corry M. Stadden* for the appellant. *The Attorney General* for the appellee.

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No. 724. CLARENCE W. BARRON, PLAINTIFF IN ERROR, *v.* JOHN W. MCKINNON, SHAREHOLDERS' AGENT, ETC. In error to the United States Circuit Court of Appeals for the First Circuit. May 12, 1913. Dismissed without costs to either party, per stipulation of counsel, on motion of *Mr. Evans Browne*, in behalf of counsel. *Mr. Wm. R. Sears* for the plaintiff in error. *Mr. Chester M. Pratt* for the defendant in error.

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No. 270. GEORGE W. CURETON, PLAINTIFF IN ERROR, *v.* THE STATE OF GEORGIA. In error to the Court of Appeals of the State of Georgia. May 12, 1913. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. J. J. Lynch*, *Mr. S. P. Maddox* and *Mr. Geo. D. Lancaster* for the plaintiff in error. *Mr. Thos. S. Felder* for the defendant in error.

229 U. S. Cases Disposed of Without Consideration by the Court.

NO. 279. GEORGE W. CURETON, PLAINTIFF IN ERROR, *v.* THE STATE OF GEORGIA. In error to the Court of Appeals of the State of Georgia. May 12, 1913. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. J. J. Lynch, Mr. S. P. Maddox and Mr. Geo. D. Lancaster* for the plaintiff in error. *Mr. Thos. S. Felder* for the defendant in error.

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NO. 989. BONITA DIAZ DE NOYA, APPELLANT, *v.* SAMUEL W. BACKUS, COMMISSIONER OF IMMIGRATION. Appeal from the District Court of the United States for the Northern District of California. May 26, 1913. Dismissed with costs, on motion of *Mr. Corry M. Stadden* for the appellant. *Mr. Marshall B. Woodworth and Mr. Corry M. Stadden* for the appellant. *The Attorney General* for the appellee.

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NO. 665. WILLIAM BLACKWELL *v.* THE SOUTHERN PACIFIC COMPANY. On a certificate from the United States Circuit Court of Appeals for the Ninth Circuit. May 26, 1913. Stricken from the docket on motion of *Mr. Edward M. Cleary* for William Blackwell. *Mr. Edward M. Cleary* for Blackwell. No appearance for The Southern Pacific Company.

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NO. 826. ADAMS EXPRESS COMPANY, PLAINTIFF IN ERROR, *v.* CHAMBERLIN-JOHNSON-DUBOSE COMPANY. In error to the Supreme Court of the State of Georgia. May 26, 1913. Dismissed with costs, on motion of counsel

Cases Disposed of Without Consideration by the Court. 229 U. S.

for the plaintiff in error. *Mr. Robert C. Alston* for the plaintiff in error. No appearance for the defendant in error.

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No. 827. ADAMS EXPRESS COMPANY, PLAINTIFF IN ERROR, *v.* CHAMBERLIN-JOHNSON-DUBOSE COMPANY. In error to the Supreme Court of the State of Georgia. May 26, 1913. Dismissed with costs, on motion of counsel for the plaintiff in error. *Mr. Robert C. Alston* for the plaintiff in error. No appearance for the defendant in error.

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No. 1166. WILSON COAL COMPANY, APPELLANT, *v.* THE UNITED STATES ET AL.; and

No. 1167. WILSON COAL COMPANY, APPELLANT, *v.* THE UNITED STATES ET AL. Appeals from the United States Circuit Court of Appeals for the Ninth Circuit. May 26, 1913. Docketed and dismissed on motion of *Mr. Assistant to the Attorney General Fowler* for the appellees. *The Attorney General* for the appellees. No one opposing.

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No. 411. ADOLPH SUESSKIND, APPELLANT, *v.* WILLIAM J. GAYNOR, MAYOR OF THE CITY OF NEW YORK, ET AL. Appeal from the Circuit Court of the United States for the Southern District of New York. June 10, 1913. Dismissed, per stipulation, and cause remanded to the District Court of the United States for the Southern District of New York. *Mr. Julius M. Mayer* and *Mr. A. S. Gilbert* for the appellant. *Mr. Terence Farley* for the appellee.



229 U. S. Cases Disposed of Without Consideration by the Court.

NO. 509. JOHN V. DOBSON ET AL., PLAINTIFFS IN ERROR, *v.* THE VIRGINIA-CAROLINA CHEMICAL COMPANY. In error to the Supreme Court of the State of Tennessee. June 10, 1913. Dismissed with costs, on authority of the plaintiff in error. *Mr. John V. Dobson, p. p. . Mr. William A. Henderson* for the defendant in error.

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NO. 673. W. S. WRIGHT ET AL., PLAINTIFFS IN ERROR, *v.* MERCHANTS' TRUST COMPANY, EXECUTOR, ETC. In error to the Supreme Court of the State of California. June 10, 1913. Dismissed, per stipulation. *Mr. Ernest E. Wood* for the plaintiff in error. No appearance for the defendant in error.

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NO. 993. COL. CHARLES G. TREAT, APPELLANT, *v.* PASCUAL OROZCO, SR.; and

NO. 994. COL. CHARLES G. TREAT, APPELLANT, *v.* DAVID DE LA FUENTE. Appeals from the District Court of the United States for the Western District of Texas. June 16, 1913. Dismissed with costs, on motion of counsel for the appellant. *The Attorney General* for the appellant. No appearance for the appellees.